

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
NEWMAN DIVISION**

UNITED STATES OF AMERICA  
ex rel. LANCE ALBERTSON,

Plaintiff/Relator,

v.

AGENDIA, INC.,

Defendant.

**Civil Action No.  
3:21-cv-46-TCB**

**UNOPPOSED MOTION TO TRANSFER VENUE TO  
THE EASTERN DISTRICT OF TENNESSEE KNOXVILLE DIVISION**

Relator Lance Albertson respectfully requests that the Court transfer this False Claims Act case to the Eastern District of Tennessee, Knoxville Division.

Relator has conferred with counsel for the United States. The United States consents to Relator's request to transfer venue. Defendant Agendia, Inc. has not yet been served. Accordingly, there is no opposition to this motion.

Relator filed this sealed False Claims Act case against defendant Agendia, Inc. on March 30, 2021 in the U.S. District Court for the Northern District of Georgia. The U.S. Attorney's Office for the Northern District of Georgia declined to intervene in this case on December 6, 2022. The Court granted Relator's First

Motion to Extend Time for service (Doc. 20), and ordered that the deadline for service of process upon defendant Agenda, Inc. by the Relator shall be September 12, 2023. (Doc. 21).

As stated in Relator's First Unopposed Motion to Extend Time for Service, Realtor's counsel have become aware of another similar sealed False Claims Act case pending in the U.S. District Court for the Eastern District of Tennessee, Knoxville Division. Relator makes this unopposed motion to transfer venue to that District and Division.

The Court has authority to transfer this case. "For the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought or to any district or division to which all parties have consented." 28 U.S.C. § 1404(a) (emphasis added).

This case could have been filed in the Knoxville Division of the Eastern District of Tennessee. The False Claims Act has a broad venue provision providing that venue is proper "in any judicial district in which the defendant . . . can be found, resides, transacts business, or in which any act proscribed by [the False Claims Act] occurred." 31 U.S.C. § 3732(a). On information and belief, Agenda has transacted business and committed False Claims Act violations in the

Knoxville Division of the Eastern District of Tennessee. As a result, Relator could have filed this lawsuit in that District and Division.

Additionally, Relator and the United States of America, which is the real party in interest in False Claims Act cases such as this one, both consent to this transfer. Defendant Agendia, Inc. has not yet been served, and therefore there is no opposition to this motion.

### **CONCLUSION**

Relator requests that the Court enter an Order transferring Relator's case to the Eastern District of Tennessee, Knoxville Division.

A proposed Order Transferring Venue is attached hereto as Exhibit A.

Respectfully submitted this 1st day of August, 2023.

BUTLER PRATHER LLP

BY: /s/ Ramsey B. Prather

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**CERTIFICATE OF COMPLIANCE**

Pursuant to Local Rules 5.1(B) and 7.1(D), I hereby certify that the foregoing filing complies with the applicable font and size requirements and is formatted in Times New Roman, 14 point font.

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## **CERTIFICATE OF SERVICE**

This is to certify that this 1st day of August, 2023, Relator's Unopposed Motion To Transfer Venue to the Eastern District Of Tennessee Knoxville Division was filed with the Clerk of the Court and served on the following via email or U.S. Mail:

Neeli Ben-David, AUSA  
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Merrick B. Garland  
U.S. Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, D.C. 20530-0001

This 1st day of August, 2023.

BUTLER PRATHER LLP

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